

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

February 27, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Maui

Approval of Lease of Private Property with County of Maui on Behalf of the State Department of Health to Enter into a License Agreement with the County of Maui for an Air Monitoring Station, Hale Piilani Park, Waiakoa, Wailuku, Maui, Tax Map Key: (2) 3-8-004:031 por.

CONTROLLING AGENCY:

County of Maui

APPLICANT:

State Department of Health, Clean Air Branch

LEGAL REFERENCE:

Section 171-30, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Hale Piilani Park, Waiakoa, Wailuku, Maui, identified by Tax Map Key: (2) 3-8-004:031, as shown on the attached map labeled Exhibit A.

AREA:

400 sq. ft., more or less.

ZONING:

State Land Use District: Urban
County of Maui CZO: Park

CHARACTER OF USE:

Air monitoring purposes

TERM:

5 years, commencing May 20, 2009 and expiring on May 19, 2014.

ANNUAL RENT:

\$83.00 per annum + monthly electric and phone costs.

DCCA VERIFICATION:

Not applicable. Government agency.

REMARKS:

Since May 19, 1999, the State Department of Health, Clean Air Branch has been operating an Ambient Air Monitoring Station at the subject location that is owned in fee by the County of Maui.

On July 30, 2004 under agenda Item D-1, the Board of Land and Natural Resources consented to a license agreement between the County of Maui and the State of Hawaii, by its Board of Land and Natural Resources, on behalf of and for the Department of Health for air monitoring purposes. The license commenced May 20, 2004 and expires on May 20, 2009.

By letter dated January 29, 2009 the State Department of Health has informed us the County of Maui has given verbal approval for a new license agreement. All fees associated with the operation of this station shall be paid with federal grant money.

Staff has no objections and supports Board approval of this request.

RECOMMENDATION:

That the Board approve entering into a license with the County of Maui on behalf of State Department of Health covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

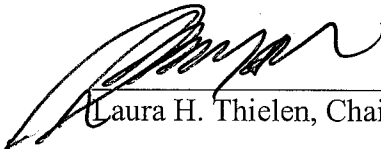

1. Review and approval by the Department of the Attorney General; and

2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


for Daniel Ornellas
District Land Agent

APPROVED FOR SUBMITTAL:


Laura H. Thielen, Chairperson 



Note: All parcels owned by Alexander & Baldwin, Inc. unless otherwise noted.

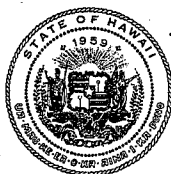
ZONE 2 SEC. 5
SUBJECT TO CHANGE

FOR. HAINAPU MAILING, MAUI

Orig. No.: 9429
Source: H.C. & Co. (Sug. Phil. Map)
By: D.S.C. & H.N. June 1939

40802

LINDA LINGLE
GOVERNOR OF HAWAII



RECEIVED

CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH

P.O. BOX 3378
HONOLULU, HAWAII 96801-0378

January 29, 2009

09 FEB -4 P3:35

DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII
In reply, please refer to:
08-1113M&A CAB

TO: The Honorable Laura Thielen, Chairperson
Board of Land and Natural Resources

FROM: Chiyome Leinaala Fukino, M.D.
Director of Health

SUBJECT: Air Monitoring Station in Kihei, Hawaii

The Department of Health's Clean Air Branch (CAB) is requesting your consent to enter into a license agreement with the County of Maui to occupy approximately 400 square feet of their property located at Hale Piilani Park, TMK: (2) 3-8-004: por. 31 in Kihei, Maui, for a particulate ambient air monitoring station. The County of Maui has given verbal approval to the CAB for a new license agreement.

The following information is being furnished concerning this agreement:

Program: Department of Health, Clean Air Branch
Location: TMK: (2) 3-8-004: por. 31, Kihei, Maui
(See attached map)
Area: 400 square feet of an approximately 2.0 acre parcel
Licensor: County of Maui
Rent: \$83.00 per annum + monthly electricity and phone
Term: May 20, 2009 to May 19, 2014

All fees associated with the operation of this station will be paid from federal grant money. A copy of the unexecuted license agreement is attached.

We appreciate your consideration of this request. If you have any questions, please contact Mr. Gary Wu of the Clean Air Branch at 586-4200.

Enclosure

c: Daniel Ornellas, District Land Agent, DLNR Land Division,

Exhibit B